

**266. Body Worn Camera Systems, Purpose and Scope.** Body Worn Camera (“BWC”) systems are a valuable tool for promoting transparency in law enforcement by recording citizen contacts from police officers. The Oceanside Police Department “OPD”/”Department”) employs BWC systems for the purpose of contemporaneously and objectively documenting information about the details of such contacts. Video footage produced by BWCs may be used as evidence in criminal investigations, civil litigation, internal or administrative investigations, evaluating police officer performance, reviewed administratively for officer compliance with department policies, used as a tool in law enforcement training, or utilized as a reference in incident documentation.

Officers shall utilize this device in accordance with the provisions in this policy and procedures to maximize the effectiveness of the audio/video documentation, to achieve operational objectives, and to ensure evidence integrity.

**266.1 Policy.** It is the policy of the Department that officers shall, to the extent practicable under the totality of circumstances, activate the BWC when such use is appropriate to the proper performance of his or her official duties, and where the recordings are consistent with this policy and applicable law. This policy does not govern the use of surreptitious recording devices used in undercover operations. Failure to follow this policy may result in disciplinary action up to and including termination.

**266.2 Definitions:**

- a. **Body Worn Camera/BWC** – Video system that captures audio and video signals, capable of being worn on an officer’s person that includes at minimum a camera, microphone, and recorder.
- b. **Advisement** – Statement made by an officer that the BWC is in use to record a communication, conversation, or interaction with a citizen. This statement is made for the specific purpose of informing the citizen that the communication or conversation is being recorded.
- c. **Activation Mode** – When the BWC is activated the camera is recording both video and audio. A 30-second buffered video (no audio) captured directly before the event will be saved and attached to the event in permanent memory. Subsequent pressing of the activation button turns the recordings on and off and creates separate media segments.
- d. **Buffering/Standby-by Mode** – The BWC is on but has not been activated to record both sound and video. While in the buffering mode, the camera will continuously record only video in 30 second loops.
- e. **Body Worn Camera Program Administrators** – OPD program administrators for the particular camera system with full access to user rights and sets user access and parameters.
- f. **Recorded Media** - Audio-video signals recorded and digitally stored on a storage device or portable media.
- g. **Docking Station** - A server with built-in docking stations physically installed at the police department. The docking station simultaneously recharges the device while uploading all digitally encrypted data. The docking station then transfers the data to the applicable system.
- h. **Metadata** – Metadata is the labeling, “tagging” or “marking” of the video collected by case numbers, incident numbers, and other descriptors used to identify digital evidence. (e.g.,

Case number, date, incident type, statement type, victim/witness/suspect name, officer involved etc.)

- i. **Officer** – For purposes of this policy, the term “officer” is used to identify any sworn member of the Oceanside Police Department, regardless of rank, unless specifically identified otherwise.

## **266.3 BWC Procedure**

### **266.3.01 Issuance and Use of BWC Equipment**

- a. Only authorized personnel shall use or be in possession of a BWC device.
- b. All officers issued a BWC are required to wear and use their BWC while working in any uniformed assignment unless advised otherwise by supervisory personnel; including uniformed enforcement overtime and special events. Officers shall comply with the provisions of this Department procedure.
- c. Officers issued BWCs must complete an agency approved training program to ensure proper use and operation. Additional training may be required to incorporate changes, updates, or other revisions with policy and equipment. Training will include:
  - 1. All practices and protocols covered by the BWC policy which will be distributed to all personnel during training.
  - 2. An overview of relevant state laws governing consent, evidence, privacy and public disclosure.
  - 3. Procedures for operating the equipment safely and effectively.
  - 4. Scenario-based exercises that replicate situations that officers may encounter in the field.
  - 5. Procedures for downloading and tagging recorded data.
  - 6. Procedures for accessing and reviewing recorded data; only for personnel authorized to access data.
  - 7. Procedures for preparing and presenting digital evidence for court.
  - 8. Procedures for documenting and reporting any malfunctioning device or supporting system
- d. The BWC training manual will be used during the training of all personnel.
- e. The BWC training manual will be available on the Department’s J: Drive.
- f. A refresher course on BWC usage and protocols will take place annually and may be done during Block Training, daily patrol briefings, or other settings as authorized by the Department Training Division.
- g. No officer, department member, or city employee shall tamper with or dismantle any hardware or software component of any BWC device, including any ancillary equipment associated with the BWC system.
- h. While the use of another department-issued recording device (audio recorder, video camera, surveillance cameras, etc....) may be used in conjunction with the BWC under circumstances where it is deemed necessary, it shall not be used in place of the BWC.
- i. Unauthorized use, duplication, or distribution of BWC files is strictly prohibited. Personnel shall not make copies of any BWC file for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files. Personnel are prohibited from allowing unauthorized persons to view BWC files.

- j. All BWC equipment and all data, recorded media, images and audio from the BWC are the sole property of the Oceanside Police Department and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police or designee, except as otherwise provided herein. Any unauthorized release of a BWC file may result in discipline up to and including termination.
- k. The BWC shall not be used to record non-work-related activities and shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
- l. Under no circumstances shall any department member or city employee duplicate, copy, share, edit, alter, modify, erase, delete, or otherwise manipulate BWC files, other than when authorized in the course of their official duties. Pursuant to Penal Code Section 141, any officer who knowingly or intentionally and wrongfully alters video for use at a legal proceeding or trial is guilty of a felony.
- m. Officers will use only the BWC system personally issued to them and approved by the Department for official police duties. The wearing of any other personal video recorder device for the same purpose or any other BWC issued to another department member is not authorized without the express written permission of the Chief of Police or designee.

**266.3.02 Storage.** When not in use, the BWC devices shall be stored in the designated docking station. Officers shall ensure the BWC is properly seated in the docking station to allow for proper downloading, charging and updating.

**266.3.03 Pre-Shift Inspection.**

- a. Officers shall inspect their BWC devices daily to ensure there is no visual damage and the device is in working order.
- b. Visual damage shall be immediately reported to the on-duty shift supervisor.
- c. Inoperable equipment shall be tagged and turned into a designated BWC Program Administrator immediately.
- d. When officers log into the CAD system each day, they will select “BWC” under capabilities which will automatically make a notation in the officer’s automated daily log that he/she is utilizing the BWC during that shift.

**266.3.04 End of Shift.**

- a. At a minimum, officers shall dock their issued BWC in the docking station for automated upload of BWC data files daily, at the end of their shift, to ensure storage capacity is not exceeded and/or to view uploaded audio/video. This does not prohibit officers from uploading video more frequently if needed or desired.
- b. Officers in specialized uniformed assignments (Motors, Canine, and Traffic) with assigned take-home vehicles may take their camera home at the end of each shift as long as they ensure the camera is fully charged for their next shift, unless that officer was involved in an in-custody case, in which case the camera will be docked and video downloaded before the officer’s end of shift. It is expected these officers may make enforcement stops to and from work and that these stops will be recorded.

**266.3.05 Camera Position.** Officers shall wear the BWC in a position that provides for the most effective recording angle for the field of view and shall not intentionally obscure the view of their BWC.

**266.3.06 Explosive Device.** Many portable recorders, including body-worn video cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, BWC devices should be turned completely off where an explosive device may be present.

**266.3.07 Mandatory Recordings (Where/When to Record).**

a. Privacy Concerns and Advisements.

1. Private Citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties. When officers are lawfully present in a private residence (warrant or exigent circumstances) in the course of their official duties, there is no reasonable expectation of privacy. With that, officers are not required to give notice they are recording.
2. However, if asked, officers shall advise citizens they are being recorded.
3. Except as otherwise stated herein, officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of the citizen. Rather, they should rely on their training, experience and this policy to direct their use of the BWC.
4. Consent Searches – When an officer's grounds for searching or otherwise being inside a residence is based solely on consent, officers shall both advise and obtain consent to record with a BWC as part of the consent to enter and/or search. (This does not apply to crimes in progress or other circumstances that would allow the officer to be lawfully present without a warrant.)

b. Enforcement Related Contacts. There are many situations in which to activate the body-worn camera. This policy is not intended to describe every possible circumstance.

1. Unless it is unsafe, or impractical to do so, or mechanical issues impeding the use of the device are present, officers shall activate their BWCs for any investigative or enforcement activity. The device shall be turned on before making contact (victim/witness/suspect) with individuals where there is a reasonable suspicion the person(s) is involved in criminal activity or is involved in a violation of law, or a witness thereto, including but not limited to:
  - a. Radio Calls
  - b. Code 3 Responses, including inside the police vehicle
  - c. Arrests
  - d. Vehicle Pursuits
  - e. Vehicle Searches
  - f. Suspect Interviews
  - g. Field Interviews
  - h. Pedestrian Stops
  - i. Traffic Stops (to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops.)
  - j. Traffic Collisions

k. Citations

- l. Consensual contacts where the officer has reason to believe the encounter could result in a prolonged detention, arrest, violence by the individual, or a use of force
  - m. Any other investigative or enforcement encounters (e.g., checks of known encampments, bar checks, etc.)
  - n. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require activating the BWC.
2. Once activated, the BWC should remain on until the incident has concluded.
    - a. For purposes of this section, conclusion of an incident is indicated by the officer's termination of activity or contact at the incident or has cleared the scene.
    - b. A supervisor may also declare an incident over and direct all but the reporting officer to turn off their BWCs.
  3. Once a BWC is activated, the entirety of the event/contact/conversation should be recorded without interruption. If an officer feels it is necessary to stop recording (*e.g.*, while speaking to another officer, or a confidential informant) within the constraints of this policy, he or she should verbally indicate his or her intent to stop the recording before stopping or muting the device, and upon reactivation, state that he or she has restarted the recording. If such interruption occurs, the officer shall also document the reason for the interruption in a report. This will help avoid accusations of editing the recording after the fact.
  4. Officers may use reasonable judgment in determining when to temporarily deactivate the BWC prior to the conclusion of the incident, for example:
    - a. When the purpose for activation is no longer present.
    - b. An officer is assigned to an outer perimeter position for an extended period of time and has no verbal or visual contact with involved parties.

Note: Keeping in mind that static situations may change rapidly, officers should recognize it may be necessary to re-activate their BWC unexpectedly (*e.g.* Officers assigned to an outer perimeter position with their BWCs turned off, and a suspect exits the residence to flee from police.)

- c. Recording may also cease if an officer is simply waiting for a tow truck to arrive or other similar situations.
5. Officers may also temporarily deactivate the BWC when speaking to a subject whether consensually, in custody, or detained, who has agreed to provide information about other ongoing criminal activity.
6. When recording interviews, officers shall ensure they record any admonishments prior to the start of an interview.
7. Officers shall make every reasonable attempt to identify all individuals who make any statement or use any verbal or non-verbal commentary related to the incident, where it was reasonably believed to be captured in the BWC recording.

- Failing to make a good faith attempt to identify such individuals could result in suppression of the video. The identification should minimally include: name, address, date of birth, driver's license number, gender, race, cell phone number and/or home telephone number.
8. BWCs shall be activated and record the entirety of all prisoner or passenger transports, except passengers present as part of the Ride-Along program, regardless of the gender of the prisoner or passenger.
  9. In addition to the required conditions, officers should activate the system any time they feel its use would be appropriate and/or valuable to document an incident or where they feel the contact may result in any type of enforcement action. This may include pre-contact investigations documenting law enforcement efforts to research the history of a subject's location, mental health history, ownership of weapons, efforts to locate friends/family, etc., to resolve the immediate incident or call for service.
  10. Officers are strongly encouraged to inform citizens they are being recorded in situations where doing so may de-escalate potential conflicts.
  11. Except as otherwise provided herein, civilians shall not be allowed to review the recordings without the written approval of the Chief of Police or designee, which shall be maintained in evidence.
  12. Officers working plain clothes assignments **are exempt** from this Policy.
  13. Officers assigned to the Harbor and Beaches Unit shall not be required to activate the BWC while engaged in operations that require the wearing of dive or turnout gear.
  14. Supervisors responding to a call administratively, *e.g.*, a use of force incident, may defer recording until initial contact is made with the involved party(ies). Thereafter, the entirety of the contact shall be recorded.

#### Searches

1. When searching a prisoner, and without sacrificing officer safety, it is advantageous to position the search so it may be captured on camera. This starts the chain of custody by allowing contraband, weapons, and other evidence found to be documented on the BWC recording.
2. Officers should activate their BWC during the execution of a search warrant, an arrest warrant, a Fourth Amendment waiver search, knock and talk, or a consent search in which the officer is looking for a suspect, evidence, or contraband.
3. Search warrants, high risk entries or similar events, involving SWAT or SES, will not be recorded with a BWC.
4. During searches of commercial buildings or residential dwellings, when there is a strong indication of encountering a suspect, while keeping officer safety as the primary concern, officers should activate their BWCs prior to making entry into the structure. The recording of a suspect confrontation normally outweighs tactics potentially shown in the recording.

#### Victim and Witness Interviews

1. Except as otherwise provided, victim and witness interviews will be recorded with the BWC. The recording may be valuable evidence that contributes to or augments an investigation.
2. While evidence collection is important, the Department also recognizes it is important for officers to maintain credibility with people wanting to share information with law

enforcement. If the victim or witness refuses to be videotaped, re-position the camera to face away from the individual, still capturing the audio.

3. Child abuse victims, or any age child that is a victim and has developmental delays, will not be recorded with a BWC. As a cooperating partner in the San Diego County Child Victim Witness Protocol, best practices include minimizing further trauma to child victims/witnesses through a cooperative multidisciplinary effort that limits the number of times a child is interviewed and to treat each child with dignity and respect.

Children shall be referred to the Child Abuse Program (CAP) for a forensic interview. As part of the protocol, best practice states *“a child who is under 14 or any age child who has developmental delays, [the recommendation is] no attempt should be made to interview the child in the field.”* It is preferred the first responder determine if a crime has occurred by speaking to others, document the information, and avoid a field interview with the child.

Demonstrations. During demonstrations, officers should operate their BWCs in the buffering mode. If an officer(s) witnesses a crime occurring among the demonstrators and/or believes an arrest or use of force is likely, officers should immediately activate their BWCs to record the incident. Once the BWC is activated the entire event should be recorded without interruption.

#### **266.3.08 Prohibited/Discretionary Recordings (When Not to Record).**

- a. BWCs shall not be used during Department administrative investigations.
- b. BWCs shall not be used during briefings.
- c. BWCs shall not be used to record public safety statements.
- d. BWCs shall not be used during major crime briefings, homicide briefings, debriefings, homicide walk-throughs, or similar situations.
- e. BWCs shall not be used during contact with confidential informants (CI's).
- f. BWCs shall not be used while in a Command Post during a critical incident.
- g. Officers may record patients during medical or psychological evaluations by a clinician or similar professional, or during treatment, including PERT clinician interviews, if the enforcement contact has not otherwise concluded.
- h. When recording in hospitals or other medical facilities, officers should attempt to avoid recording persons other than the suspect where privacy of other patients would be invaded or their private health information would be recorded. (HIPAA)
- i. Officers should be aware that not recording an incident or encounter may require explanation in court, and their report should reflect both that no recording was made and the reasons why.

**266.3.09 Documentation of Recorded Events.** All recordings shall be documented in the appropriate manner, as follows:

- a. “BWC” shall be recorded in the Evidence section of the incident report (e.g., Arrest, Crime, Officer Reports) and in the “Special Studies” section in RMS. Collision reports shall have

“BWC” documented at the beginning of the narrative or in the Evidence Section of the narrative.

- b. Field Interview Cards – “BWC” shall be noted at the beginning of the narrative.
- c. Traffic Citations – “BWC” shall be recorded in the “Case Number” box or “Other Description” on the citation form.
- d. Cover Officers - Unless writing their own report, cover officers shall notate a BWC recording in CAD.
- e. Other Recordings – Non-evidentiary recordings, such as inadvertent recordings, recordings initiated for training, recording showing no criminal conduct or statements of evidentiary value, or recordings with no associated report, shall be documented in the “Comments” Section of the CAD generated call.
- f. Supervisors reviewing and approving reports shall ensure officers have properly documented and recorded events.

**266.3.10 Entering Metadata.** Each recorded segment requires “tagging” or metadata to be entered, even if the segments are of the same event. Metadata consists of an identification field, retention category, and recording title. If a case number exists, the complete case number shall be entered into the identification field. Absent a case number, a CAD incident number, a citation number or field interview card number may be used. Officers shall select the retention category that most accurately fits the recording.

The retention categories include: Uncategorized, Field Interview, Misdemeanor, Felony, No Crime/Contact, Traffic, Traffic Collision, Sex Crimes, Professional Standards, Civilian Complaint, 5150/11-44, Potential Claim, Traffic Fatal, Homicide, Officer Involved Shooting, Training, and Accidental. Recording titles may vary but should include the case number, crime code, names of involved parties (suspect, witness etc...), and location of the incident.

Officers are also encouraged to add “markers” to their BWC video identifying events of particular evidentiary value (*e.g.* 14:32:06 hours – suspect dropped knife and ran from scene). Viewing or adding metadata or markers will not alter the video recording as it is protected with multiple layers of encryption on the ARQvision BWC devices and at Digital Evidence Management (“DEM”).

Officers have the option of entering metadata either from their workstation or, if they so elect, through the use of a Bluetooth (non-data) application that can be downloaded to a personal device. Use of a personal device is not required or encouraged, but is solely at the officers’ discretion and for his/her convenience. Videos shall not be altered, including tagging or the entering of metadata, during off-duty hours.

**267 Downloading/Storage Procedures.** After verifying the required metadata has been added to all recorded events, officers shall place the BWC into a slot on the docking station and ensure it is properly seated at the end of their shift. This will allow the battery to recharge. The data will automatically be transferred from the BWC through the transfer system to DEM, depending on the camera. The data is considered entered into evidence at this point. Once the metadata has been entered, downloaded, and/or docked, the process is considered complete.

All officers are required to add metadata or “tag” at the conclusion of the event or as soon as possible. With supervisor approval, officers may hold over entering their metadata until the next day. Tagging of in-custody cases must be completed the same day. No metadata, tagging, or marking will be held over to the following work week.

Metadata tagging will be entered using one of the following means:

- a. CAD/RMS (automatic integration)
- b. Any Desktop Workstation
- c. MDT via a USB or Bluetooth Connection, if available
- d. Department Issued smart device
- e. Personal smart phone / tablet

**268 Retention of Digital Evidence.** All recordings related to any criminal proceeding, claim, pending litigation, or an administrative investigation/personnel complaint, shall be preserved until that matter is resolved or pursuant to the City of Oceanside Retention Schedule, whichever period of time is greater.

Additionally, pursuant to Penal Code section 832.18(b)(5)(ii), all video that involves a use of force, arrest/custody situation, and officer involved shootings shall have a minimum two year retention period. BWC files of evidentiary value shall be retained for a period of one year or until the investigation or, if applicable, prosecution has ended, whichever period of time is greater. BWC files documenting identifiable suspected crimes shall be retained for the same period as is required by law for other evidence that may be relevant for criminal prosecution as set forth in the Department’s BWC Retention Policy or, if applicable, until prosecution has ended, whichever period is shorter.

**269 Accessing Digital Evidence.** All those given permissions associated with DEM may review the digital evidence as needed in the performance of their duties.

**270 Reviewing BWC Digital Evidence.** Officers make decisions based on the totality of the human senses. An officer’s recollection of specific details may differ somewhat from what is captured on video. Reviewing footage helps officers recall the details of the incident more clearly, which can lead to more accurate documentation of events.

It is NOT the intent of the Oceanside Police Department to review digital evidence for the sole purpose of general performance review, for normal preparation of performance evaluations, or to discover policy violations. With regard to review of BWC digital evidence:

- a. Officers shall not access or view a BWC recording unless it is for a legitimate law enforcement purpose.
- b. Officers may review their own digital recordings when necessary to complete their reports, as it relates to their involvement in an incident, for the purposes of completing a criminal investigation and preparing official reports.
- c. Detectives are responsible for reviewing, updating, and tracking digital evidence associated with their assigned cases.
- d. For Officer Involved Shootings and other critical incidents involving investigations by detectives:

- 1) Detectives shall review the BWC video prior to interviewing an officer involved in an officer involved shooting or who is the subject of a criminal investigation or other critical incident.
  - 2) After providing an initial public safety statement where applicable, the involved officer(s) shall be permitted to review his/her BWC video prior to providing a further statement or interview regarding the incident. The officer's BWC video may be reviewed again prior to the giving of any supplemental statement.
- e. Officers shall review digital evidence prior to providing testimony at criminal, civil and administrative hearings, trials, or depositions.
  - f. In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any department member.

**271 Administrative Review of Digital Evidence.** Apart from quarterly audits, digital evidence may be viewed for administrative purposes limited to the following:

- a. Any incident in which a member of the Department is injured or killed during the performance of their duties;
- b. Any incident involving the use of force by a member of the Department, including canines, which results in complaint of pain, injury or death;
- c. Any in-custody death;
- d. Any police pursuit;
- e. When any member of the Department discharges a firearm;
- f. When any member of the Department not involved in training discharges any less than lethal weapon;
- g. Traffic collisions involving department personnel;
- h. Prior to the release of recordings in response to a proper legal request (*e.g.*, in response to a subpoena or other court order);
- i. Prior to the release of recordings in response to Public Records Act requests;
- j. In preparation for a civil deposition, or responding to an interrogatory, where the incident arises from the officer's official duties;
- k. When preparing to testify in a criminal, civil, or administrative proceeding arising from the officer's official duties;
- l. For investigations undertaken by the Department, to prove or disprove specific allegations of misconduct;
- m. Civil litigation;
- n. When officers are identified through the Department's Early Intervention Program;
- o. When officers are still in a probationary period or are with a Field Training Officer;
- p. To identify videos for training purposes and for instructional use;
- q. In situations where there is a need to review digital evidence not covered by this policy, a lieutenant or higher must approve the request. Each situation will be evaluated on a case-by-case basis.

**272 Discovery of Misconduct.** Department members authorized to review BWC recordings should remain focused on the incident or incidents in question and review only those recordings

relevant to their investigative scope. If a Department member sees conduct which he/she recognizes to be improper, the Department member must immediately notify a supervisor.

**273 Releasing Copies of Digital Evidence.** Digital video captured by a BWC shall be treated as evidence and investigative files, and handled pursuant to existing Department policies and procedures and countywide protocol.

**274 Use of Digital Evidence for Training Purposes.** With approval of the Watch Commander, officers and supervisors may review recordings of incidents in which they were involved when beneficial for the purpose of conducting a tactical debrief. However, any investigation relating to officer conduct during the particular incident shall be completed prior to such video debrief.

When an incident is recorded that may be of value as a training aid for a broad section of the Department, the recording officer or that officer's supervisor should send a memo, through their chain of command, to the Support Operations Captain, who will have the digital evidence reviewed to determine the value of the incident for training.

If the recording is deemed an appropriate training aid, the Captain shall obtain approval from the Department's legal advisor and the Chief of Police prior to introducing it into any training curriculum.

Any Department member depicted in a digital recording, by image, voice, or both, shall be notified prior to the intended use of the recording and have the option of being present and part of the discussion in releasing the recording for training purposes.

## **275 Supervisor Responsibilities**

### **a. Sergeant's Responsibilities**

1. Supervisors may have the ability to immediately resolve civilian complaints by reviewing video captured by the BWC and allowing the complainant to view it. In those circumstances, where a complaint is resolved with no further action needed, supervisors shall change the category to "Civilian Complaint" to the video and make appropriate comments in the notes section of the BWC evidence management system. This will allow Professional Standards personnel to capture and track incidents that are resolved by utilization of the video system. Even if the complaint is not resolved, the supervisor shall add a notation to the BWC file that it was accessed and played for the complainant.
2. If an officer is suspected of misconduct, the Project Coordinator shall place a lock on the video such that it cannot be viewed by the officer suspected of misconduct until such time as he is entitled to view all evidence of the internal affairs investigation against him or her pursuant to applicable law and policy.

**276 Editing and Deleting Digital Evidence.** Inevitably, recordings will occur in circumstances where recording is not appropriate. This may include an officer forgetting to stop recording when entering the bathroom, locker room, or dressing room, all places where there is a reasonable expectation of privacy. Other instances may include non-work related conversations between officers, with members of the community, daily briefings, court, jail or other similar instances.

In these situations, as soon as practical, the officer shall send an email request with sufficient information to locate the BWC recording to their immediate supervisor requesting the identified portions of the recordings be deleted. The supervisor will review the file, verify the information to be deleted does not contain work-related material or evidence, and then submit the request for deletion to the Watch Commander for final approval. If approved, the supervisor will then mark the file, the file will be sequestered, rendered un-viewable, and deleted in the normal course for non-evidentiary files. A notation shall be added to the recording explaining why the deletion was made. Under no circumstances will officers who captured an inadvertent recording delete or alter the recording themselves.

#### **277 Equipment Repair, Replacement, and Maintenance**

- a. Officers shall immediately report any recognized problems with their BWC to their immediate supervisor.
- b. Upon notification, the supervisor shall contact a BWC Administrator stating the problem of malfunction.
- c. The BWC Administrator will report unresolved deficiencies to ARQvision.
- d. The BWC Administrator will provide the serial number of the unit needing service or repair and identify the type of equipment at issue. A representative from the appropriate vendor will contact the BWC Administrator who generated the call for resolution.
- e. This procedure will be followed for all BWC-related equipment and accessories.

**278 BWC Program Administrator Responsibilities.** The Program Administrators are designated by the Chief of Police and have oversight responsibilities of the BWC system. Program Administrators will include the Police Records Manager, OPD Information Technologies representative, Patrol Operations Captain or designee, Support Operations Captain or designee, and the Professional Standards Lieutenant/Sergeant. BWC Program Administrators are responsible for the following:

1. Operation and user administration of the system.
2. System evaluation.
3. Training.
4. Policy and procedure review and evaluation.
5. Coordination with IT regarding system related issues.
6. Ensure the security and integrity of BWC data.
7. Ensure BWC files of evidentiary value are retained per this policy.
8. Ensure BWC files are reviewed and released in accordance with federal, state, and local statutes and City of Oceanside/Oceanside Police Department retention policies.
9. The Police Records Manager is designated as the Custodian of Records for all BWC digital recording data files.